

REMARKS/ARGUMENTS

Claims 1-18 remain in this application for consideration. The claims have not been amended herein. New claim 19 has been added. No new matter has been added.

I. Rejection of Claims 1-18 under 35 U.S.C. 102(a).

Claims 1-18 were rejected under 35 U.S.C 102(a) as being anticipated by U.S. Patent No. 6,185,603 issued to *Henderson et al.* (hereinafter "*Henderson*"). Applicants respectfully disagree with the rejection and submit the following argument.

Independent claim 1 specifically recites "receiving data including at least one address." Claim 1 also recites the step of "determining a transport to deliver the message using data associated with the address." Claim 1 continues by reciting the step of "setting a flag associated with the message to indicate the determined transport. These limitations are not taught or otherwise suggested by the cited reference.

*Henderson* simply does not teach or otherwise suggest determining a transport to deliver the message using data associated with an address. (Emphasis added). *Henderson* teaches inputting a code that invokes an escape sequence. (Col. 6, lines 10-15). *Henderson* teaches that these codes can be used to route e-mail source messages (the subject line only) to various destinations, such as a pager, a facsimile or a telephone. (Col. 8 line 32 – col. 9, line 37). In the pager example, a user may input the code "#page" into the subject line of an e-mail message. (Col. 8, lines 37-55). The IMP server, then, must recognize the code "#page." (Col. 8, lines 37-55). Next, the IMP server matches the recipients e-mail address to a pager number in a database.

(Col. 8, lines 37-55). Next, the subject line is forwarded from the e-mail to the pager. (Col. 8, lines 37-55). The code "!#page" is not an address in any meaning of the word; it is a code used to tell the computer to evoke an escape sequence.

Moreover, Henderson does not teach the step of setting a flag associated with the message to indicate the determined transport. The Office Action cites, as teaching this limitation, the following:

One advantageous embodiment of the apparatus of the present invention includes a pager server, a facsimile server and or a voice mail server, which are coupled to the message server. This permits the sender to route the message to either a pager, a facsimile or a voice mail system by specifying the routing within the subject line following the escape sequence, in addition to the normal recipient.

(Col. 3, lines 4-10). This language in no way teaches or otherwise suggests a flag associated with the message to indicate the determined transport. In fact, applicants cannot find any teaching of a flag whatsoever. Accordingly, Henderson cannot possibly anticipate claim 1.

Independent claims 12 and 17 also recite an address and a flag. Applicants assert that those claims are allowable for at least the same reasons set forth above. Newly added claim 19 also recites an "address." For at least the same reasons set forth above, Henderson does not anticipate claims 12, 17 and 19.

Claims 3-11, 13, 15-16 and 18 are dependent claims, which ultimately depend from independent claims 1, 12 and 17, respectively. Applicants assert that the limitations of claims 3-11, 13, 15-16 and 18 are not taught or otherwise suggested by the cited art. Furthermore, insofar

as claims 3-11, 13, 15-16 and 18 depend from claims 1, 12 and 17 the same are thought to be allowable as set forth above.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

  
\_\_\_\_\_  
Ryan T. Grace  
Registration No. 52,956  
Direct Dial: 206.342.6258

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
206.342.6200

